



Docket No. 6258-67

**CERTIFICATE OF MAILING**

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TRICIA D'AGOSTINO

Signature:

*Tricia D'Agostino*  
Clifford Chance Rogers & Wells LLP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: John M. Friel et al.

Filed: February 16, 2001

Group Art Unit: 1714

Serial No: 09/785,147

Examiner: A.K. Sanders

For: PREPAINTS AND METHODS OF PREPARING PAINTS FROM THE  
PREPAINTS

**ABANDONMENT TRANSMITTAL**

Commissioner for Patents  
Washington, D.C. 20231

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MAY 29 2002  
TC 1700

Applicants hereby expressly abandon the captioned patent application in response to the double patenting rejection under 35 U.S.C. §101 as claiming the same invention as that of claims 1-50 of co-pending Application No. 09/785,152, which was raised in the official action mailed on December 19, 2001.

The Commissioner is hereby authorized to charge any fees required in connection with this submission to Deposit Account 50-0521.

Respectfully submitted,

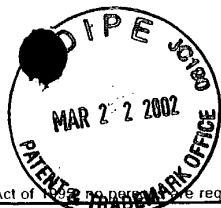
Date: March 12, 2002

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Docket No. 6258-67

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PTO/SB/24 (10-01)

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**EXPRESS ABANDONMENT UNDER 37 CFR 1.138**Docket Number (Optional)  
6258-67

To:

Assistant Commissioner for Patents  
Washington, DC 20231

In re Application of John M. Friel et al.

Application Number  
09/785,147

Filed February 16, 2001

For Preprints and methods of preparing...

Art Unit  
1/14Examiner  
A.K. Sanders

Please check only one of boxes 1-3 below:

(If no box is checked, this paper will be treated as a request for express abandonment as of the filing date of this paper.)

1. ☒ **Express Abandonment**

I request that the above-identified application be expressly abandoned as of the filing date of this paper.

2. ☐ **Express Abandonment in Favor of a Continuing Application**

I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed herewith.

3. ☐ **Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)**

I hereby petition to expressly abandon the above-identified application to avoid publication.

NOTE: The application will be published in regular course unless the petition is recognized by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

**Petition Fee** – must be filed with petition to avoid delays in recognizing the petition.a. ☒ The Commissioner is hereby authorized to charge the petition fee under 37 CFR 1.17(h) to Deposit Account No. 50-0521.b. ☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.c. ☐ Payment by credit card (Form PTO-2038 is enclosed).**Fax** the petition directly to the Pre-Grant Publication Division at (703) 305-8568 or **Mail** the petition to the above address directed to **Box PGPub-ABD**.

**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes the paper. See MPEP 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized by the Pre-Grant Publication Division in sufficient time to avoid publication.

I am the: ☐ applicant.☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)☒ attorney or agent of record.☐ attorney or agent acting under 37 CFR 1.34(a) (may act only if box 2 above, stating that the application is expressly abandoned in favor of a continuing application, is checked). Attorney or agent registration number if acting under 37 CFR 1.34(a), \_\_\_\_\_.

(Attorney or agent registration number)

Margaret B. Kelley  
SignatureMarch 12, 2002  
DateMARGARET B KELLEY  
Typed or printed name

\* Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\* ☐ Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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